

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHUIFA YING,

Plaintiff,

v.

**CHINA CHEF, INC., SHI ZHONG OU,
and LI MING HUANG,**

Defendants.

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CIVIL ACTION NO.: 08-CV-4282

AFFIDAVIT OF SHI ZHONG OU

Under penalties of perjury, I, Shi Zhong Ou, do hereby swear and affirm as follows.

1. I make this affidavit in support of the Defendants Motion to either Dismiss the Plaintiff's Complaint or to Transfer Venue of the case to Alabama.

2. My Co-Defendant, Li Ming Huang, and I are married. We both reside in Baldwin County, Alabama, and we have, at all times relevant to the allegations contained in the Plaintiff's Complaint, resided in Baldwin County, Alabama. Li Ming Huang and I manage a restaurant in Baldwin County, Alabama. Neither Li Ming Huang or I have any connections to the State of New York.

3. The Plaintiff, Shuifa Ying, is married to my wife's older sister. The Plaintiff constantly calls our home and makes threatening demands regarding this action and other matters.

4. In his Complaint, the Plaintiff alleges he was employed by the restaurant managed by the Defendants. All causes of action alleged in the Complaint arise from activities or events that took place in Baldwin County, Alabama, specifically, at the restaurant managed by the Defendants which is located at 27955 Highway 98, Suite U, in Daphne, Alabama.

5. None of the activities or events alleged in the Complaint took place in New York.

6. The Defendants have no contacts with the State of New York, and the events that form the basis of the Plaintiff's lawsuit, all of which are denied, took place in Alabama.

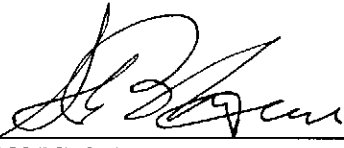
7. All of the witnesses who could and would provide testimony in support of the Defense in this action reside in Alabama. The names and addresses of potential witnesses for the Defense are the following:

A.	Chen, Yi Luan	886 Randall Avenue Daphne, Alabama 36526
B.	Huang, Feng	886 Randall Avenue Daphne, Alabama 36526
C.	Yuan, Gui Yung	886 Randall Avenue Daphne, Alabama 36526
D.	Karen Oiu	23676 Sparrows Point Daphne, Alabama 36526
E.	Chen, Xue Mei	23676 Sparrows Point Daphne, Alabama 36526
F.	Yuanm Xiang Yun	205 Shelton Beach Road, Apt. 50 Saraland, Alabama 36571
G.	Liu, He Xing	205 Shelton Beach Road, Apt. 50 Saraland, Alabama 36571
H.	Wan, Ai Jing	205 Shelton Beach Road, Apt. 50 Saraland, Alabama 36571
I.	Pan, Qing	2500 Dauphinwood Drive, Apt. 5B Mobile, Alabama 36606
J.	Chan, Chui Wah	924 Grant Park Drive Mobile, Alabama 36606

8. Neither the Defendants nor the witnesses listed in the preceding paragraph have the financial means to travel to New York to participate in a lawsuit filed in that jurisdiction.


**STATE OF ALABAMA
COUNTY OF MOBILE**

Personally appeared before me, the undersigned authority in and for said State and County, SHI ZHONG OU, who being by me first duly sworn, doth depose and say that the statements contained in the foregoing are true and correct.



SHI ZHONG OU

Sworn and subscribed before me on this 21st day of August, 2008.



NOTARY PUBLIC, STATE AT LARGE
My Commission Expires: 03/24/10